

**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

NOVEMBER 28, 2005

MEMBERS PRESENT: Emery Zahner, Geri Kupecky and Alternates James Prichard and Arlo Hoffman

MEMBERS ABSENT: Lori Spielman, Cliff Aucter, Mort Heidari, Robert Hoffman

STAFF PRESENT: Robert A. Phillips, Town Planner and Kristin Michaud, Recording Secretary

I. CALL TO ORDER:

Chairman Zahner called the Planning & Zoning Commission (PZC) meeting to order at 7:03 PM at the Ellington Town Hall Annex Meeting Room, 57 Main Street, Ellington, CT.

II. PUBLIC COMMENTS: NONE

III. PUBLIC HEARINGS:

1. #Z200539 – CD Builders for a special permit for an accessory apartment on property located at 143 Jobs Hill Road, APN 103-010-0000 in an RA Zone.

TIME: 7:04

SEATED: E. Zahner, G. Kupecky, J. Prichard, A. Hoffman

Kevin Zahner, CD Builders, came forward for the application. He explained that they are only adding 32% square footage to the home and as a result the accessory apartment meets all stipulations for all accessory apartments in the regulations.

Chairman Zahner read Jim Thompson's letter dated November 14, 2005.

MOVED (KUPECKY), SECONDED (PRICHARD) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200539 – CD BUILDERS.

MOVED (KUPECKY), SECONDED (PRICHARD) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION #Z200539 – CD BUILDERS.

CONDITION: SUBJECT TO THE TOWN ENGINEER'S LETTER DATED NOVEMBER 14, 2005.

THE COMMISSION REVIEWED ITEMS 2 #S200509 AND 3 #Z200540 TOGETHER

2. #S200509 – Brook Crossing Developers, LLC for a 9 lot subdivision on property located at the Extension of Brook Crossing, APN 119-004-0000 in an RA Zone.
3. #Z200540 – Brook Crossing Developers, LLC for a special permit for a rear lot in conjunction with a 9 lot re-subdivision on property located on Brook Crossing, APN 119-004-0000 in an RA Zone.

TIME: 7:15

SEATED: E. Zahner, G. Kupecky, J. Prichard, A. Hoffman

MOVED (KUPECKY), SECONDED (PRICHARD) AND PASSED UNANIMOUSLY TO GRANT AN EXTENSION AND CONTINUE #Z200540 AND #S200509 – BROOK CROSSING DEVELOPERS, LLC TO THE DECEMBER 19, 2005 MEETING.

VI. NEW BUSINESS:

1. Clarification of zone boundary for Santini Village MF Zone on North side of Windermere Avenue.

THE COMMISSION NOTED THAT AN APPLICATION HAS BEEN SUBMITTED FOR A ZONE CHANGE FOR THIS ITEM.

2. Review of revised plans for St. Luke's Church at 141 Maple Street (Changes in parking layout).

Lance Beckly, Project Engineer, came forward to review the revised plan. He explained that they will be cutting back on impervious surface, and they still meet town parking regulations.

MOVED (KUPECKY), SECONDED (A. HOFFMAN) AND PASSED UNANIMOUSLY TO ACCEPT REVISED PLANS DATED NOVEMBER 2005 FOR ST. LUKE'S CHURCH AT 141 MAPLE STREET.

3. Release performance bond for Gasek Farms II Subdivision (#S200102).

MOVED (A HOFFMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO RELEASE THE PERFORMANCE BOND FOR THE GASEK FARMS II SUBDIVISION.

4. Release of restoration bond for DeCarli Gravel Pit, 189 Sadds Mill Road (#Z200313).

MOVED (A. HOFFMAN), SECONDED (PRICHARD) AND PASSED UNANIMOUSLY TO RELEASE THE RESTORATION BOND FOR DECARLI GRAVEL PIT, 189 SADDs MILL ROAD IN ACCORDANCE WITH THE TOWN ENGINEER'S LETTER DATED NOVEMBER 18, 2005.

5. Release of \$318,000 performance bond for Rye Field Estates Subdivision (#S200407) and institute a \$72,000 maintenance bond.

Chairman Zahner read Jim Thompson's letter dated October 22, 2005.

MOVED (KUPECKY), SECONDED (A. HOFFMAN) AND PASSED UNANIMOUSLY TO RELEASE THE PERFORMANCE BOND FOR THE RYE FIELD ESTATES SUBDIVISION AND INSTITUTE A \$72,000 MAINTENANCE BOND IN ACCORDANCE WITH THE TOWN ENGINEER'S LETTER DATED OCTOBER 22, 2005.

6. #S200513 – Santini Builders, LLC for a 2 lot subdivision on property located on Windermere Ave, APN 025-036-0000, 026-002-0000 in an AA Zone.

BY CONSENSUS, THE COMMISSION RECEIVED #S200513.

MOVED (A. HOFFMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO ADD BY VOICE VOTE AND TO ACCEPT THE WITHDRAWL OF #S200512 – JANET HALL FOR A 3 LOT SUBDIVISION ON PROPERTY LOCATED AT 110 PINNACLE ROAD.

MOVED (KUPECKY), SECONDED (PRICHARD) AND PASSED UNANIMOUSLY TO ADD BY VOICE VOTE AND RECEIVE – #Z200541 – DEER VALLEY, LLC FOR A ZONE CHANGE ON PROPERTY LOCATED AT 160 WINDERMERE AVE, #Z200542 – LANDMARK SURVEYS FOR A ZONE CHANGE ON PROPERTY LOCATED AT 298 SOMERS ROAD, AND #S200514 – JANET HALL FOR A 3 LOT SUBDIVISION ON PROPERTY LOCATED AT 110 PINNACLE ROAD.

BY CONSENSUS, THE COMMISSION DECIDED NOT TO GRANT A FEE WAIVER FOR #S200514 – JANET HALL.

MOVED (A. HOFFMAN), SECONDED (KUPECKY) AND PASSED UNANIMOUSLY TO ADD BY VOICE VOTE A DISCUSSION REGARDING THE DEFINITION OF RECOGNIZED PROFESSION.

Attorney Webster, Kahan, Kerensky, & Capossela, came forward to get clarification on whether or not an insurance agency would be permitted in this zone.

Chairman Zahner explained that there is a zone change application in for 298 Somers Road and they should consult with that applicant to get the entire piece changed to Commercial Zone. As it would be beneficial to their proposed use.

BY CONSENSUS, THE COMMISSION AGREED THAT AN INSURANCE AGENT IS A RECOGNIZED PROFESSION.

VI. UNFINISHED BUSINESS: NONE

VII. ADMINISTRATIVE BUSINESS:

1. Set the effective date for the zone change from PC & RA to RA on property located at 120 Stafford Road, APN 148-021-0000.

TABLED TO THE DECEMBER 19, 2005 MEETING.

2. Set 2006 meeting schedule.

MOVED (KUPECKY), SECONDED (A. HOFFMAN) AND PASSED UNANIMOUSLY TO APPROVE THE 2006 MEETING SCHEDULE.

3. FY 2006-07 Capital Improvement Budget Requests.

THE COMMISSION DID NOT HAVE ANY INPUT TO THE CAPITAL IMPROVEMENT BUDGET REQUEST FOR THE FY 2006-07.

4. Planning & Zoning representative for the Permanent Building Committee.

TABLED TO THE DECEMBER 19, 2005 MEETING.

5. Approval of Meeting Minutes:
 - a. October 31, 2005 Regular Meeting

MOVED (KUPECKY), SECONDED (A. HOFFMAN) AND PASSED UNANIMOUSLY TO APPROVE THE OCTOBER 31, 2005 MEETING MINUTES.

- b. November 16, 2005 Special Meeting

TABLED TO THE DECEMBER 19, 2005 MEETING.

6. Correspondence:
 - a. Letter to Laurie Whitten, East Windsor Town Planner, from Robert A. Phillips dated 11-14-05. (Quarry Meadows – 48 lot subdivision).
 - b. Memo to Charter Revision Committee from Rob Phillips dated 11-18-05. (Concerns/Recommendations to the Town Charter)

SO NOTED.

VII. ADJOURNMENT:

MOVED (KUPECKY), SECONDED (A. HOFFMAN) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 8:00 PM.

Respectfully Submitted,

Kristin Michaud
Recording Secretary